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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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10/804,644

03/19/2004

Sook C. Chua

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EXAMINER

CLOUD, JOIYA M

ART UNIT

PAPER NUMBER

2144

MAIL DATE

DELIVERY MODE

03/31/2008

PAPER

**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.

<b>Office Action Summary</b>	<b>Application No.</b> 10/804,644	<b>Applicant(s)</b> CHUA, SOOK C.	
	<b>Examiner</b> Joiya M. Cloud	<b>Art Unit</b> 2144	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

### Status

- 1) ☒ Responsive to communication(s) filed on 04 January 2008.
- 2a) ☒ This action is **FINAL**.                      2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

### Disposition of Claims

- 4) ☒ Claim(s) 1-22 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-22 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 03/19/2004 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

### Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All    b) ☐ Some \*    c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

### Attachment(s)

- |  |   |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)          | 4) <input type="checkbox"/> Interview Summary (PTO-413)           |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____                                      |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)          | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| Paper No(s)/Mail Date _____  | 6) <input type="checkbox"/> Other: _____                          |

***DETAILED ACTION***

1. This action is responsive to the application filed on March 19, 2004. Claims 1-22 are pending. Applicant's arguments have been considered but are not persuasive.

***Claim Rejections - 35 USC § 102***

2. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

3. **Claims 1-22** are rejected under 35 U.S.C. 102(e) as being clearly anticipated by **Ebro (Pub. No. 2004/0168169 A1)**

**As per claim 1**, Ebro teaches a method for managing the invocation of multiple versions of a J2EE program, stored on an application server, among multiple clients accessing the application server, comprising: interposing a JNDI proxy between each client and the application server (**[0129]**); associating each client with one of said versions (**paragraph [0121]**); and using said JNDI proxy, directing the version associated with a particular client to said particular client upon a request by said particular client for said J2EE program (**paragraphs [0121], [0271], [0275], [0278], and [0161]**).

**As per claim 2**, Ebro teaches a method wherein associating each client with one of said versions comprises: assigning a service name used by each client to access said J2EE program (**paragraphs [0121], [0271], [0275], [0278], and [0161]**); assigning an alias name for each version of said J2EE program (**paragraphs [0121], [0271], [0275], [0278], and [0161]**); and associating each service name for each client with the version of said J2EE program to be used by each of said clients (**paragraphs [0121], [0271], [0275], [0278], and [0161]**).

**As per claim 3**, Ebro teaches a method wherein the service name used by each client is identical.

**As per claim 6**, Ebro teaches a method wherein said J2EE program comprises one or more EJBs (**paragraphs [0089] and [0286]**).

**As per claim 5**, Ebro teaches a method wherein said J2EE program comprises at least one JMS resource (**paragraph [106], [0133]**).

**As per claim 8**, Ebro teaches a method wherein said J2EE program comprises at least one JDBC datasource (**paragraph [0022], [0032]**).

**As per claim 7**, Ebro teaches a method wherein said J2EE program is a system-oriented J2EE program (**paragraph [0006]**).

**As per claim 8-14**, claims 8-14 are substantially the same as claims 1-7, but in system form rather than method form. Therefore the rejection for claims 1-7 applies equally as well to claims 8-14.

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As per claim 15-21, claims 15-21 are substantially the same as claims 1-7, but in computer program product form rather than method form. Therefore the rejection for claims 1-7 applies equally as well to claims 15-21.

***Response to Arguments***

A) Ebro fails to disclose associating each client with one of multiple versions of a J2EE program stored on a single application server.

As to the above point A), Examiner respectfully disagrees. Examiner would like to submit that as discussed by the Applicant, the above "associating clients with one of the available versions of a J2EE program" *is* taught by Ebro. Ebro specifically teaches a particular node, N1111 (client) that is associated with a program version (i.e. v1.0), as seen in Figures 5 and 6, where the node N111 Version = v1.0, denotes a client associated with a version. Paragraphs [0019]-[0121]. If Applicant intends for the associating step to mean otherwise, Examiner suggest amending claims to reflect Applicant's intended claimed invention.

***Conclusion***

**THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Joiya Cloud whose telephone number is 571-270-1146. The examiner can normally be reached Monday to Friday from on 7:30am-5:00pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, William Vaughn can be reached on 571-272-3922. The fax phone number for the organization where this application or proceeding is assigned is 571-273-3922. Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for

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published applications may be obtained from either Private PAIR or Public PAIR.

Status information for unpublished applications is available through Private PAIR

only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>.

Should you have questions on access to the Private PAIR system, contact the

Electronic Business Center (EBC) at 866-217-9197 (toll-free).

***JMC***

**/William C. Vaughn, Jr./**

**Supervisory Patent Examiner, Art Unit 2144**

**March 25,**

**2008**